



Order Filed on March 21, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

KML Law Group, P.C.
By: Denise Carlon Esquire
216 Haddon Avenue, Ste. 406
Westmont, NJ 08108
201-549-2363
Attorneys for Secured Creditor: LoanCare, LLC

In Re:

Scott E Depka,

Debtor

Case No.: 23-10009 JNP

Adv. No.:

Hearing Date: 3/15/2023 @ 9:00 a.m.

Judge: Jerrold N. Poslusny Jr.

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED

DATED: March 21, 2023

A handwritten signature in black ink, appearing to read "Jerrold N. Poslusny, Jr.", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

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Debtors: Scott E Depka

Case No.: 23-10009 JNP

Caption: **ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, LoanCare, LLC, holder of a mortgage on real property located at 217 Chestnut Street, Turnersville, NJ, 08012, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Mitchell L. Chambers Jr., Esquire, attorney for Debtor, and for good cause having been shown;

It **ORDERED, ADJUDGED and DECREED** that Secured Creditor will file a proof of claim prior to the proof of claim bar date; and

It **ORDERED, ADJUDGED and DECREED** that Debtor is to obtain a loan modification by 4/17/2023, or as may be extended by an application to extend the loss mitigation period; and

It **ORDERED, ADJUDGED and DECREED** that Debtor is to make post-petition payments in accordance with the terms of the loss mitigation order while the loss mitigation period is active;

It **ORDERED, ADJUDGED and DECREED** that the Trustee is pay the arrears per the plan while the loan modification is pending;

It is **ORDERED, ADJUDGED and DECREED** that Secured Creditor does not waive its rights to the pre-petition arrears or the difference between the regular post-petition payment and the loss mitigation payment, or any other post-petition arrears that may accrue;

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor does not waive its rights to object to extensions of the loss mitigation program or any modified/amended plans;

It is **FURTHER ORDERED, ADJUDGED and DECREED** that If the loan modification is not successful, Debtor shall modify the plan to otherwise address Secured Creditor's claim.

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Debtor reserves his right to object to Secured Creditor's proof of claim and notice of payment change; and

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Debtors: Scott E Depka

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Caption: **ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
DEBTOR'S CHAPTER 13 PLAN**

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.